

## **Article 4: City Employees' Retirement System**

### **Division 3: Safety Members Contributions**

*("Membership" incorp. 1-22-1952 by O-5046 N.S.,  
contained in O-10792 O.S. adopted 11-29-1926;  
repealed 10-25-1962 by O-8744 N.S.)  
("Contributions of Safety Members"  
added 10-25-1962 by O-8744 N.S.)  
(Retitled to "Safety Members Contributions  
on 11-18-2002 by O-19121 N.S.)*

#### **§24.0301 Normal Rate of Contributions**

- (a) The normal rate of contribution for a Safety Member is based upon the Member's age at his or her birthday nearest to the date the Member joined the Retirement System.
- (b) A Member who is serving as the duly elected president of a recognized employee labor organization may continue to participate in the Retirement System, consistent with the governing Memorandum of Understanding between the City and the Member's employee organization.  
*(Retitled from "Contribution of Safety Members" and amended 11-18-2002 by O-19121 N.S.)*

#### **§24.0302 Adoption Safety Member Contribution Rates**

The Board, based upon the advice of the Actuary, shall periodically adopt the rate of contribution of each Safety Member according to age at the time of entry into the Retirement System, said rates to be contained in the Operating Tables furnished to the Board by the System's Actuary.  
*(Amended 3-31-1997 by O-18392 N.S.)*

#### **§24.0303 Maximum and Minimum Rates for Safety Members**

The normal rate of contribution established for age 49 is the rate for any safety member who has attained a greater age before entrance into the Retirement System, and that established for age 20 is the rate for any safety member who enters the Retirement System at a lesser age.  
*("Maximum and Minimum Rates for Safety Members" added 12-8-1976 by O-11964 N.S.)*

**§24.0304 Safety Member Contributions Deducted by City Auditor**

The contributions herein provided for shall be deducted by the City Auditor and Comptroller from each payroll warrant-check and shall be transferred to the Retirement System for crediting to each individual safety member's account.  
(*"Safety Member Contributions Deducted by City Auditor" renumbered from Sec. 24.0305 on 2-25-1997 by O-18383 N.S.*)

**§24.0305 Additional Contributions for Safety Members**

Subject to the rules and regulations prescribed by the Board of Administration any safety member may elect to make additional contributions at rates in excess of his normal contributions, for the purpose of providing additional benefits. The exercise of this privilege by a safety member shall not require the City to make any additional contributions. Upon application the Board shall furnish to the safety member information concerning the nature and amount of additional benefits to be obtained by the additional contributions. Such additional contributions may be changed or discontinued at any time, but may not be withdrawn except upon termination of membership and then only in the event the employee withdraws all of his normal and additional accumulated contributions.  
(*"Additional Contributions for Safety Members" renumbered from Sec 24.0306 on 2-25-1997 by O-18383 N.S.*)

**§24.0306 Withdrawal of Accumulated Contributions and Deferred Benefits — Safety Members**

If the service of a safety member is discontinued other than by death or retirement, upon proper application to the Board of Administration there shall be returned to the safety member all accumulated contributions and additional contributions, plus compound interest, as determined by the Board, within six months from the date of termination. If the safety member so terminating City service is credited with less than ten (10) years of continuous City service, such member may elect to leave all contributions with the system for purposes of participation and creditable service in the system if reemployed by the City at a later date. If the safety member so terminating City service is credited with 10 years or more of continuous City service, said employee shall have the privilege of leaving all of said accumulated contributions (including any additional contributions) with the System, in which event the safety member will be entitled to service retirement benefits when the age requirements are met, based on service and salary prior to the termination of employment. The provisions of this section shall apply to employees of The City of San Diego hired on or after December 8, 1976. Safety members may not withdraw accumulated contributions under any circumstances other than that provided in this section.

*(“Withdrawal of Accumulated Contributions and Deferred Benefits Safety Members” renumbered from Sec. 24.0308 on 2–25–1997 by O–18383 N.S.)*

**§24.0307 Termination of Benefits — Safety Member**

Any person eligible to withdraw Accumulated Contributions pursuant to Section 24.0306 who requests withdrawal, and thereafter receives his or her Accumulated Contributions from the System, shall be deemed to have knowingly terminated membership in the System and, as a result thereof, be ineligible for any rights, privileges, or benefits granted under this Retirement System.

*(“Termination of Benefits — Safety Member” renumbered from Sec. 24.0308.5 and amended 2–25–1997 by O–18383 N.S.)*

**§24.0308 Auditor and Comptroller to Withhold Monies Owing City — Safety Members**

The Auditor and Comptroller of The City of San Diego is hereby empowered and it shall be his duty to deduct any monies owing to the City by said employees from any benefits or any other monies due said employees from the City.

*(“Auditor and Comptroller to Withhold Monies Owing City — Safety Members” renumbered from Sec. 24.0309 on 2–25–1997 by O–18383 N.S.)*

**§24.0309 Annuity, Actuarial Equivalent of Safety Members’ Accumulated Contributions**

The actual amount of annuity receivable by a Safety Member upon retirement shall be the actuarial equivalent of the Safety Member accumulated contributions.

*(“Annuity, Actuarial Equivalent of Safety Members’ Accumulated Contributions” added 3–31–1997 by O–18392 N.S.)*

**§24.0310 Upgrade of Benefits— Safety Members**

Effective July 1, 1991, any safety member who was enrolled and participated in the 1981 Pension Plan between September 3, 1982 and December 31, 1987 shall receive the same level of benefits provided safety members in CERS except as provided in Section 24.1120.

*(“Upgrade of Benefits— Safety Members” renumbered from Sec. 24.0311 on 3–31–1997 by O–18392 N.S.)*